

## ENVIRONMENTAL REVIEW COMMITTEE REPORT AND ADMINISTRATIVE SHORT PLAT REPORT & DECISION

|                                  |  |
|----------------------------------|--|
| <b>ERC MEETING DATE:</b>         | July 19, 2010  |
| <b>Project Name:</b>             | Gustine Short Plat   |
| <b>Owner:</b>                    | Brennan Family; 3401 Lake Washington Blvd; Renton, WA 98056  |
| <b>Applicant/Contact:</b>        | James P. Brennan; 18225 SE 244th Place; Covington, WA 98042  |
| <b>File Number:</b>              | LUA10-038, ECF, SHPL-A   |
| <b>Project Manager:</b>          | Rocale Timmons, Associate Planner  |
| <b>Project Summary:</b>          | <p>The applicant is proposing to subdivide an existing parcel into 3 lots which contains 3 existing single family residences all proposed to be retained, resulting in a density of 6.84 du/ac. The proposed lots would range in size from 8,517 square feet up to 20,935 square feet. The 39,718 square foot project site is located within the Residential - 8 (R-8) dwelling units per acre zoning designation. The property is situated between Burlington Northern/Santa Fe Railroad tracks and Lake Washington with the Ordinary High Water Mark (OHWM) encroaching onto the property. Access for the proposed lots would be provided via an existing driveway extended from Lake Washington Blvd which is proposed to be placed in a 20-foot wide access easement. No improvements are necessary for the proposed short plat.</p> |
| <b>Project Location:</b>         | 3401, 3405, 3411 Lake Washington Blvd  |
| <b>Site Area:</b>                | 39,718 SF  |
| <b>STAFF<br/>RECOMMENDATION:</b> | <b>Staff Recommends approval of the proposed Short Plat and further recommends the Environmental Review Committee issue a Determination of Non-Significance (DNS).</b>   |



**PART ONE: PROJECT DESCRIPTION / GENERAL INFORMATION****A. Exhibits**

- Exhibit 1: Zoning and Neighborhood Detail Map  
 Exhibit 2: Short Plat Plan  
 Exhibit 3: Aerial Photo of Project Site

**B. General Information**

- 1. Owner(s) of Record:** Brennan Family  
 3401 Lake Washington Blvd  
 Renton, WA 98056
- 2. Zoning Designation:** Residential-8 du/ac (R-8)
- 3. Comprehensive Plan Land Use Designation:** Residential Single Family (RSF)
- 4. Existing Site Use:** Single Family Residential
- 5. Neighborhood Characteristics:**  
*North: Vacant (R-8 Zone)*  
*East: Single Family Residential (R-8 Zone)*  
*South: Single Family Residential (R-8 Zone)*  
*West: Lake Washington*
- 6. Access:** Via an access easement extended from Lake Washington Blvd
- 7. Site Area:** 39,718 SF

**C. Historical/Background**

| <u>Action</u>              | <u>Description</u>  | <u>Land Use File No.</u> | <u>Ordinance No.</u> | <u>Date</u> |
|----------------------------|---|--------------------------|----------------------|-------------|
| Comprehensive Plan         | N/A   | N/A                      | 4924                 | 12/5/2001   |
| Zoning                     | N/A   | N/A                      | 5099                 | 11/1/2004   |
| Annexation                 | N/A   | N/A                      | 1791                 | 9/9/1959    |
| Brennan Dock               | Single Family Dock for 3405 Lake Washington Blvd              | LUA10-011                | N/A                  | 5/11/2010   |
| Brennan Dock and Boatlift  | Single Family Dock and Boatlift for 3411 Lake Washington Blvd | LUA09-136                | N/A                  | 12/30/2009  |
| Brennan Residence Variance | Shoreline and Setback Variance for a Single Family Residence  | LUA07-069                | N/A                  | 9/6/2007    |
| Brennan Bulkhead Repair    | Bulkhead Repair   | LUA99-166                | N/A                  | 1/28/2000   |

**D. Project Narrative**

The applicant is proposing to subdivide a 0.912-acre (39,718 SF) parcel zoned Residential-8 (R-8) du/ac into three lots. The property is situated between Burlington Northern/Santa Fe Railroad and Lake Washington with the Ordinary High Water Mark (OHWM) encroaching onto the property. The site contains three existing single-  
*ERC/Short Plat Report*

family residences which are proposed to be retained; one single family residence would be located on each of the three proposed lots. The properties surrounding the subject site contain single-family residences or are vacant. All properties are designated R-8 on the City's zoning map with the exception of Lake Washington which is to the west of the property. The proposal is similar to existing development patterns in the area and is consistent with the Comprehensive Plan and Zoning Code, which encourage residential infill development.

After subtracting approximately 17,955 square feet from the property's gross square footage, which is covered by Lake Washington along with another 2,653 square feet for the proposed access easement, the net lot area of the site would be 0.439 acres (19,110 square feet). The proposal for three lots on 0.439 acres arrives at a net density of 6.84 dwelling units per acre.

The table below reflects the size, width and depth of the proposed lots. Additionally are the setbacks (at their closest points) and lot coverage percentages of the existing residences are included. The proposed lots are oriented in such a way that their front yards would face east towards the Burlington Northern/Santa Fe Railroad.

| <b><u>As Proposed</u></b>        | <b><u>Lot 1</u></b> | <b><u>Lot 2</u></b>        | <b><u>Lot 3</u></b>         |
|----------------------------------|---------------------|----------------------------|-----------------------------|
| <b><i>Lot Size</i></b>           | 8,517 SF            | 10,266 SF<br>Net: 9,315 SF | 20,935 SF<br>Net: 19,233 SF |
| <b><i>Width</i></b>              | 83.58 ft            | 89.04 ft                   | 165.52 ft                   |
| <b><i>Depth</i></b>              | 96.51 ft            | 103.98 ft                  | 112.12 ft                   |
| <b><i>Front Yard Setback</i></b> | 0 ft                | 24 ft                      | 25 ft                       |
| <b><i>Side Yard Setback</i></b>  | 10 ft               | 4 ft                       | 8 ft                        |
| <b><i>Rear Yard Setback</i></b>  | 26 ft               | 42 ft                      | 77 ft                       |
| <b><i>Lot Coverage</i></b>       | 12.9 %              | 9 %                        | 2.3 %                       |

The topography of the subject site is relatively level with slight slopes to the north with the steepest slope at 12 percent. The applicant is not proposing any grading or filling as part of the proposal.

The on-site vegetation primarily consists of mowed lawn with a narrow band of cotoneaster along the bulkhead. There are also several big leaf maple, black cottonwood and an occasional snowberry located on site. No trees are planned to be removed or planted as part of the proposed short plat.

All lots would gain access via a proposed access easement extended from Lake Washington Blvd which crosses over the Burlington Northern/Santa Fe Railroad. It is unclear how wide the access easement is proposed to be.

According to the Draft Environmental Impact Statement for the City of Renton Land Use Element (January 16, 1992), the City of Renton has a student generation factor of 0.44 students per single-family residential dwelling. Based on the student generation factor, the proposed short plat would not result in any additional students to the local schools as there are already three existing homes located on site.

## **E. Public Services**

### **1. Utilities**

- Water:** There is existing water service to each proposed lot.
- Sewer:** There is existing side sewer to each proposed lot.
- Surface/Storm Water:** There is no storm water conveyance system provided.

### **2. Streets:** There is street access to each home via a private road.

### **3. Fire Protection:** City of Renton Fire Department

## PART TWO: ENVIRONMENTAL REVIEW

In compliance with RCW 43.21C.240, the following environmental (SEPA) review addresses only those project impacts that are not adequately addressed under existing development standards and environmental regulations.

### A. Environmental Threshold Determination

Based on analysis of probable impacts from the proposal, staff recommends that the Responsible Officials:

**Issue a DNS with a 14-day Appeal Period.**

### B. Mitigation Measures

1. None

### C. Environmental Impacts

*The Proposal was circulated and reviewed by various City Departments and Divisions to determine whether the applicant has adequately identified and addressed environmental impacts anticipated to occur in conjunction with the proposed development. Staff reviewers have identified that the proposal is likely to have the following probable impacts:*

#### 1. Water

##### a. Wetland, Streams, Lakes

**Impacts:** The project site is located adjacent to Lake Washington, a Shoreline of the State. The applicant is not proposing grading, filling or any type of construction as part of the proposed short plat. There would not be any impacts to Lake Washington as a result of the proposed short plat.

**Mitigation Measures:** No Mitigation Needed

**Nexus:** Not Applicable

### D. Comments of Reviewing Departments

The proposal has been circulated to City Department and Division Reviewers. Where applicable, their comments have been incorporated into the text of this report and/or "Advisory Notes to Applicant."

**Copies of all Review Comments are contained in the Official File and may be attached to this report.**

## PART THREE: ADMINISTRATIVE SHORT PLAT REVIEW

**This decision on the administrative land use action is made concurrently with the environmental determination.**

### A. Staff Review Comments

*Representatives from various City departments have reviewed the application materials to identify and address site plan issues from the proposed development. These comments are contained in the official file, and the appropriate recommendations have been incorporated into this report.*

### B. Consistency with Short Plat Review Criteria

*Approval of a plat is based upon several factors. As demonstrated in the table below and the narrative above the proposal is consistent with all short plat criteria if all conditions of approval are met.*

#### SHORT PLAT REVIEW CRITERIA:

##### 1. CONFORMANCE WITH THE COMPREHENSIVE PLAN:

|  |  |
|--|--|
| The site is designated Residential Single Family (RSF) on the Comprehensive Plan Land Use Map. Lands in the RSF designation are intended for use as quality residential detached development organized into neighborhoods at urban densities. It is intended that larger subdivision, infill development, and rehabilitation of existing housing be carefully designed to enhance and improve the quality of single-family living environments. The proposal is consistent with the following Comprehensive Plan Land Use and Community Design Element policies: |  |
| ✓  | <b>Policy LU-147.</b> Net development densities should fall within a range of 4.0 to 8.0 dwelling units per acre in Residential Single Family Neighborhoods.   |
| ✓  | <b>Policy LU-148.</b> A minimum lot size of 5,000 square feet should be allowed on in-fill parcels of less than one acre (43,560 sq. ft.) in single-family designations. Allow a reduction on lot size to 4,500 square feet on parcels greater than one acre to create an incentive for aggregation of land. The minimum lot size is not intended to set the standard for density in the designation, but to provide flexibility in subdivision/plat design and facilitate development within the allowed density range.   |
| ✓  | <b>Policy LU-152.</b> Single-family lot size, lot width, setbacks, and impervious surface should be sufficient to allow private open space, landscaping to provide buffers/privacy without extensive fencing, and sufficient area for maintenance activities.  |
| ✓  | <b>Policy LU-154.</b> Interpret development standards to support new plats and infill project designs incorporating street locations, lot configurations, and building envelopes that address privacy and quality of life for existing residents.  |
| <b>2. COMPLIANCE WITH THE UNDERLYING ZONING DESIGNATION:</b>   |  |
| The subject site is designated <b>Residential-8 du/ac (R-8)</b> on the City of Renton Zoning Map.  |  |
| ✓  | <b>Density:</b> The allowed density range in the R-8 zone is a minimum of 4.0 to a maximum of 8.0 dwelling units per acre.   |
| ✓  | <b>Number of Dwelling Units Per Lot:</b> The maximum number of dwelling units allowed per lot is 1 dwelling with 1 accessory dwelling unit.  |
| ✓  | <b>Lot Dimensions:</b> The minimum lot size permitted in the R-8 is 4,500 square feet for lots greater than 1 acre in size and 5,000 square feet for lots 1 acre or less in size. A minimum lot width of 50 feet for interior lots and 60 feet for corner lots, as well as a minimum lot depth of 65 feet, is also required. Insofar as practical, side lot lines shall be at right angles to street lines or radial to curved street lines  |
| Not Compliant  | <b>Setbacks:</b> The required setbacks in the R-8 zone are as follows: front yard is 15 feet for the primary structure and 20 feet for an attached garage; interior side yard is 5 feet; side yard along a street is 15 feet for the primary structure and 20 feet for an attached garage; and the rear yard is 20 feet.<br><b>Staff Comment:</b> As demonstrated in the table above, the existing building on Lot 1 does not comply with the minimum front yard setback. However, the situation is existing and the recording of the short plat would not increase the non-conformity of the structure. The structure would be allowed to remain without alteration. The existing single family structure on Lot 2 is located approximately 4 feet, at the closest point, from the southern property line shared with Lot 3. While the situation is existing the recording of the short plat would increase the non-conformity of the structure on Lot 2. There appears to be adequate width to shift the lot line 1 foot to the south in order to comply with the side yard setback of 5 ft. Therefore, staff recommends, as a condition of approval the applicant would be required to shift the shared property line between Lots 2 and 3, in order to comply with the minimum 5-foot side yard setback for each existing single family residence. A revised short plat plan shall be submitted to and approved by the Current Planning Project Manager prior to short plat recording. |
| N/A  | <b>Building Standards:</b> Building height is restricted to 30 feet and 2-stories. Detached accessory structures must remain below a height of 15 feet and one-story. The allowed building lot coverage for lots over 5,000 SF in size in the R-8 zone is 35 percent or 2,500 SF, whichever is greater. The allowed impervious surface coverage is 75 percent.   |
| N/A  | <b>Parking:</b> Each unit is required to accommodate off street parking for a minimum of two vehicles.   |
| <b>3. DESIGN STANDARDS:</b>  |  |
| ✓  | <b>Lot Configuration: One of the Following is required:</b> <ol style="list-style-type: none"> <li>1. Lot width variation of 10 feet minimum of one per four abutting street fronting lots, or</li> <li>2. Minimum of four lot sizes (minimum of 400 gross square feet size difference), or</li> <li>3. A front yard setback variation of at least five feet minimum for at least every four abutting street fronting lots.</li> </ol>   |

|   |  |
|---|--|
| N/A   | <b>Open Space:</b> Provide residents with a livable community, private and public open space shall be provided. Public open spaces shall be located so that a hierarchy and/or variety of open spaces throughout the neighborhood is created.  |
| N/A   | <b>Residential Design:</b> A variety of housing architectural styles have been provided and enhanced by attention to selection of exterior materials, colors, and architectural detailing.   |
| <b>4. COMMUNITY ASSETS:</b>                           |  |
| ✓   | <b>Tree Retention:</b> Thirty percent of the trees shall be retained in a residential development.   |
| Not Compliant   | <b>Landscaping:</b> Ten feet of on-site landscaping is required along all public street frontages, with the exception of areas for required walkways and driveways.<br><br><i>Staff Comment:</i> As all improvements, including landscaping, exists on site and are not planned to be modified a conceptual landscape plan and analysis was waived.  |
| <b>5. COMPLIANCE WITH SUBDIVISION REGULATIONS:</b>    |  |
| Not Compliant   | <b>Access:</b> Each lot must have access to a public street or road. Access may be by private access easement street per the requirements of the street standards.<br><i>Staff Comment:</i> The proposed short plat plan does not clearly define the required 20-foot wide access easement that would cross Lots 2 and 3. Therefore staff recommends, as a condition of approval, the applicant submit a revised short plat plan depicting at least a 20-foot wide access easement to be recorded across Lots 2 and 3 for the benefit of Lots 1 and 2. The revised short plat plan shall be submitted to and approved by the Current Planning Project Manager prior to short plat recording. |
| N/A   | <b>Blocks:</b> Blocks shall be deep enough to allow two tiers of lots.   |
| ✓   | <b>Streets:</b> The proposed street system shall extend and create connections between existing streets per the Street Standards outlined in RMC 4-6-060 Street Standards.   |
| N/A   | <b>Alleys:</b> access is the preferred street pattern except for properties in the Residential Low Density land use designation.   |
| <b>6. AVAILABILITY AND IMPACT ON PUBLIC SERVICES:</b> |  |
| ✓   | <b>Police and Fire:</b> Sufficient resources exist to furnish services to the proposed development.  |
| N/A   | <b>Schools:</b> The Renton School District can accommodate any additional students generated by this proposal.   |
| ✓   | <b>Storm Water:</b> An adequate drainage system shall be provided for the proper drainage of all surface water.  |
| ✓   | <b>Water and Sanitary Sewer:</b> The sewer and water distribution system including the locations of fire hydrants shall be designed and installed in accordance with City standards.   |

### C. Findings

Having reviewed the written record in the matter, the City now enters the following:

- Request:** The Applicant has requested Administrative Short Plat Approval and Environmental Review for Gustine Short Plat, LUA 10-038, SHPL-A, ECF.
- Environmental Review:** The City's Environmental Review Committee (ERC) has reviewed the proposal and issued a Determination of Non-Significance (DNS).
- Shoreline Substantial Development Permit:** The project is exempt from the Shoreline Master Program Regulations as there is no development proposed on the project site.
- Application:** The applicant's Site Plat application complies with the requirements for information necessary for short plat review. The applicant's plans are attached to this report.
- Comprehensive Plan:** The subject site is designated Residential Single Family (RSF).
- Zoning:** The site is zoned Residential - 8 (R-8).
- Subdivision Regulations:** The proposal is subject to the requirements established by the City's Subdivision Regulations provided.

8. **Existing Land Uses:** The short plat is consistent with development and uses surrounding the subject site, including: **North:** Vacant (zoned R-8); **East:** Residential Single Family (zoned R-8); **South:** Residential Single Family (zoned R-8); and **West:** Lake Washington.
9. **System Development Charges:** Development Charges and a Sewer System Development Charges, at the current applicable rates, will not be required for the existing residences.

#### **D. Conclusions**

---

1. The subject site is located in the Residential Single Family (RSF) comprehensive plan designation and complies with the goals and policies established with this designation.
2. The subject site is located in the Residential-8 du/ac (R-8) zoning designation and complies with the zoning and development standards established with this designation provided the applicant complies with City Code and conditions of approval.
3. The City's Environmental Review Committee (ERC) has reviewed the proposal and issued a Determination of Non-Significance (DNS).

#### **E. Decision**

---

The Gustine Short Plat, File No. LUA10-038, ECF, SHPL-A is **approved** subject to the following conditions:

1. The applicant shall be required to shift the shared property line between Lots 2 and 3, in order to comply with the minimum 5-foot side yard setback for each existing single family residence. A revised short plat plan shall be submitted to and approved by the Current Planning Project Manager prior to short plat recording.
2. The applicant shall submit a revised short plat plan depicting at least a 20-foot wide access easement to be recorded across Lots 2 and 3 for the benefit of Lots 1 and 2. The revised short plat plan shall be submitted to and approved by the Current Planning Project Manager prior to short plat recording.

[Signature on file]

**C.E. "Chip" Vincent, Planning Director**

**Date**

TRANSMITTED this 21<sup>st</sup> day of July 2010 to the Contact/Applicant/Owner:

Contact/Applicant:  
James P. Brennan  
18225 SE 244th Place  
Covington, WA 98042

Owner:  
Brennan Family  
3401 Lake Washington Blvd Renton,  
WA 98056

TRANSMITTED this 21<sup>st</sup> day of July 2010 to the Parties of Record:  
None

TRANSMITTED this 21<sup>st</sup> day of July 2010 to the following:

Neil Watts, Development Services Director  
Larry Meckling, Building Official  
Kayren Kittrick, Development Services  
Jennifer Henning, Current Planning

Fire Marshal  
Renton Reporter

### **Land Use Action Appeals, Request for Reconsideration, & Expiration**

The Environmental Determination and the Administrative Short Plat decisions will become final if the decisions are not appealed within 14 days of the decision date.

**Environmental Determination Appeal:** Appeals of the environmental determination must be filed in writing to the Hearing Examiner on or before 5:00 p.m., August 6, 2010.

**Administrative Site Development Plan Approval Appeal:** Appeals of the administrative site development plan review decision must be filed in writing to the Hearing Examiner on or before 5:00 p.m. on August 6, 2010.

**APPEALS:** An appeal of the decision(s) must be filed within the 14-day appeal period (RCW 43.21.C.075(3); WAC 197-11-680). Renton Municipal Code Section 4-8-110.B governs appeals to the Hearing Examiner. Appeals must be filed in writing together with the \$250.00 application fee to Hearing Examiner, City of Renton, 1055 South Grady Way, Renton, WA 98057. Additional information regarding the appeal process may be obtained from the City Clerk's Office, Renton City Hall - 7th Floor, (425) 430-6510.

**RECONSIDERATION:** Within 14 days of the decision date, any party may request that a decision on a short plat be reopened by the Administrator (Decision-maker). The Administrator (Decision-maker) may modify his decision if material evidence not readily discoverable prior to the original decision is found or if he finds there was misrepresentation of fact. After review of the reconsideration request, if the Administrator (Decision-maker) finds sufficient evidence to amend the original decision, there will be no further extension of the appeal period. Any person wishing to take further action must file a formal appeal within the 14-day appeal timeframe.

**EXPIRATION:** The Administrative Site Development Plan Review decision will expire two (2) years from the date of decision. A single two (2) year extension may be requested pursuant to RMC 4-9-200L.2.

**THE APPEARANCE OF FAIRNESS DOCTRINE:** provides that no ex parte (private one-on-one) communications may occur concerning the land use decision. The Doctrine applies not only to the initial decision, but to Appeals to the Hearing Examiner as well. All communications after the decision/approval date must be made in writing through the Hearing Examiner. All communications are public record and this permits all interested parties to know the contents of the communication and would allow them to openly rebut the evidence in writing. Any violation of this doctrine could result in the invalidation of the appeal by the Court.

### **ADVISORY NOTES TO APPLICANT**

**The following notes are supplemental information provided in conjunction with the administrative land use action.**

*Because these notes are provided as information only, they are not subject to the appeal process for the land use actions.*

#### **Planning:**

1. The applicant is required to apply for Short Plat Recording once the conditions of approval are complied with..

#### **Water:**

1. No additional water improvements are required.

#### **Sewer:**

1. No additional sewer improvements are required.

#### **Surface Water:**

1. No additional surface water improvements are required.

#### **Transportation:**

1. No street improvements are required. .

#### **Fire:**

1. None.